IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH
&
THE HONOURABLE MR. JUSTICE M.L.JOSEPH FRANCIS

TUESDAY, THE 24TH NOVEMBER 2009 / 3RD AGRAHAYANA 1931

FAO.No. 228 of 2006()

ORDER DATED 1.9.2006 IN I.A.NO.1109/20066 IN OS.86/2006 of III ADDL.SUB COURT, KOZHIKODE
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APPELLANTS/PLAINTIFFS:
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1. K.SURESH KUMAR, AGED 40,
   S/O. LATE KUMARAN NAIR, NECHIVAYAL,
   MAYANAD P.O., CALICUT.

2. T.SUGATHAN, AGED 36,
   S/O. SREEDHARAN, THALAKKOT HOUSE,
   MAYANAD DESOM, CHELAVOOR VILLAGE,
   MAYANAD P.O.,CALICUT.

3. M.ARAVINDAN, AGED 48,
   S/O. LATE APPUKUTTY, NECHIVAYAL POTTA,
   MAYANAD DESOM, CHELAVOOR VILLAGE,
   MAYANAD P.O., CALICUT.

4. M.DINESH KUMAR, AGED 35,
   S/O. RAMAN NAMBEESAN, MANAPPATTIL HOUSE,
   MAYANAD DESOM, CHELAVOOR VILLAGE,
   MAYANAD P.O., CALICUT.

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENT(S): DEFENDANTS:
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1. STATE OF KERALA, REP. BY
   DISTRICT COLLECTOR, KOZHIKODE, CIVIL STATION,
   NEDUNGOTTOOR AMSOM, KOZHIKODE.

2. THE SECRETARY TO GOVERNMENT,
   HEALTH WELFARE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

3. THE PRINCIPAL MEDICAL COLLEGE,
   KOZHIKODE.

4. THE SUPERINTENDENT, NEW MEDICAL COLLEGE HOSPITAL (NMCH), KOZHIKODE.

5. THE SUPERINTENDENT, INSTITUTE OF MATERNAL AND CHILD HEALTH (IMCH), KOZHIKODE.

6. THE SUPERINTENDENT, DENTAL COLLEGE, KOZHIKODE.

7. THE SUPERINTENDENT, INSTITUTE OF CHEST DISEASES, KOZHIKODE.

ADDL. 8. KERALA POLLUTION CONTROL BOARD, REPRESENTED BY MEMBER SECRETARY, THIRUVANANTHAPURAM.

ADDL. 9. KERALA WATER AUTHORITY, REPRESENTED BY MANAGING DIRECTOR, THIRUVANANTHAPURAM.

(Additional respondents 8 and 9 are impleaded as per order on I.A. No.4615/2006 dated 8.12.2006)

R1 TO R7 BY SENIOR GOVERNMENT PLEADER SRI.RAMANAND.
R8 BY STANDING COUNSEL SRI.M.K.CHANDRAMOHAN DAS.
R9 BY STANDING COUNSEL SRI.M DINESH

THIS FIRST APPEAL FROM ORDERS HAVING BEEN FINALLY HEARD ON 24/11/2009, ALONG WITH FAO NO. 227 OF 2006 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN JJ.

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F.A.O.Nos.227 & 228 OF 2006

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Dated this the 12th day of April 2007

ORDER

The Superintendent of the New Medical College Hospital submits that the Pollution Control Board has already given authorisation for the waste management project. The Superintendent of Institute of Maternal and Child Health (IMCH) submits that steps have been taken to submit the application in the proper form to the Pollution Control Board after curing the defects. The same shall be done within a period of two weeks from today. The Pollution Control Board shall process the same and take appropriate action in the matter of issuance of clearance required under law within another two weeks. There will also be a direction to the Secretary to the Government to file an affidavit as to the steps taken regarding the proposal for the implementation of the project for sewage treatment plant for the entire Medical

College campus under the NRHM mission.

The Superintendents of New Medical College and Institute of Maternal and Child Health are present. Their further personal appearance is dispensed with.

The affidavit shall be filed on or before 24.5.2007. Post on 28.5.2007.

KURIAN JOSEPH, JUDGE

K.T.SANKARAN, JUDGE

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